



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street, 3<sup>rd</sup> floor  
New York, NY 10007*

February 22, 2021

**BY ECF**

**MEMORANDUM ENDORSEMENT**

Hon. Gabriel W. Gorenstein  
United States Magistrate Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Czarnecki v. Comm'r of Soc. Sec.*, No. 20 Civ. 6897 (ER) (GWG)

Dear Judge Gorenstein:

This Office represents the Commissioner of Social Security (the "Commissioner"), the defendant in the above-referenced action brought pursuant to 42 U.S.C. § 405(g), in which the plaintiff appeals the Commissioner's decision to deny her application for Social Security disability benefits.

I respectfully write to request, with the plaintiff's consent, a 30-day extension of time, *nunc pro tunc*, for the Commissioner to file the certified administrative record in this case, from February 15, 2021, to March 17, 2021, which will yield the following extended deadlines pursuant to the Standing Order In Re Motions for Judgment on the Pleadings in Social Security Cases (Dkt. No. 7):

<u>Filing</u>	<u>Deadline</u>
Plaintiff's Motion for Judgment on the Pleadings	May 17, 2021
Commissioner's Cross-Motion for Judgment on the Pleadings	July 16, 2021
Plaintiff's Reply, if any	August 6, 2021

I apologize to the Court for the lateness of this request, but the extension is needed because of delays in preparing the certified administrative record due to temporary workplace changes implemented by the Social Security Administration in response to the COVID-19 pandemic. As described in the attached Declaration of Jebby Rasputnis, dated December 4, 2020, these changes have significantly impacted the operations of the Social Security Administration's Office of Appellate Operations and materially affected its ability to prepare certified administrative

records and to obtain transcriptions of hearing recordings from private contractors. The agency has increased its staffing and improved its ability to prepare certified administrative records remotely, but the prior delays combined with an increase in Social Security cases filed in federal courts have resulted in a significant backlog in the preparation of certified administrative records.

The plaintiff consents to this request for an extension. This is the Commissioner's second request for an extension of the time to file the certified administrative record. The Court previously granted the Commissioner's request for a 60-day extension of time to file the record. (Dkt. No. 18.) I thank the Court for its consideration of this request.

Respectfully,


AUDREY STRAUSS  
United States Attorney

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*Attorney for Plaintiff*

**The proposed schedule is approved.**

**So Ordered.**

  
GABRIEL W. CORENSTEIN  
United States Magistrate Judge  
February 22, 2021